



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

3 N Lowell Rd, Windham NH 03087
(603) 432-3806 / Fax (603) 432-7362
www.WindhamNH.gov

Conservation Commission

Approved Minutes

July 23, 2020

7:30 pm @ Community Development Department

Attendance:

Chairman Dave Curto- present (at Community Development)

Vice Chair Wayne Morris- excused

Pam Skinner- present (at Community Development)

Lisa Ferrisi- present (via Zoom)

Kara Feldberg- present (via Zoom, seated for James Finn)

Brain McFarland- present (via Zoom seated for Wayne Morris)

James Finn- excused

Chairman Curto took a roll call vote for all members present, those both present at the Community Development Department and those present remotely.

Miscellaneous Items:

- Trail adopters discussion

Chairman Curto discussed the coordination of trail adopters. Chairman Curto discussed some training that might be needed for the trail adopters around trail maintenance, perhaps a handbook that they could sign off on to acknowledge they have read it. The Board discussed that the role of the trail adopters would be to do small tasks at their convenience so it does not have to be scheduled at a certain time. The Board discussed putting together a list of names to get to the Board of Selectmen. Ms. Ferrisi stated that she had some literature she might want to add to the brochure for the sake of training around both rare and invasive species. Mr. McFarland stated it might be helpful to have a checklist available that was draft a few years ago to help volunteers guide the work they have done and report out on that work. Ms. Feldberg asked if it made sense to have a list of what not to do for the sake of guidance as well; the Board is in agreement on all of these ideas.

- SNHRPC GPS site walk planning

Dates to do the site walks were proposed by Chairman Curto. The walks would start at the beginning of August and continue through the first three weeks of August. There is already a comprehensive list of sites for the site walk and they would start with the Rail Trail and the trails that go off the Rail Trail. Norm Babineau of the Forestry Committee requested some help. August 12th: the Route 28 Forest, August 13th: the Gage lands and Ashton Woods along with Clyde Pond, August 14th: Clyde Pond, August 19th: Foster's Pond and the Greenway were all dates and locations that were discussed. Chairman Curto discussed GPX files and coordinating the delivery of these files. A spreadsheet would be

42 sent to the SNHRPC for the next step of the process. Derek Monson addressed the Board
43 and discussed temporary signage that would be put up on the trails. The Board also
44 discussed the historic significance of some of the sections and the importance of
45 preserving them. Mr. Monson discussed obstacles that were made by a nearby Trails
46 Committee; these were teeter totters that could be used by the public visiting the trails.
47 The Board discussed that anything out there should be done at their own risk. The Board
48 discussed the liability issue around this and that the signage was important. Mr. Monson
49 stated that he would take a few pictures to present to the Board.

50
51 Mr. Monson then discussed a questionnaire given to Chairman Curto as part of the
52 Master Plan to be filed out by the Conservation Commission. Mr. Monson said it could
53 be filled in and be part of the discussion next week.

54
55 Mr. Monson then mentioned 13 York Road. Mr. Monson stated that he had been the
56 individual to file a complaint.

57
58 **ZBA:**

59
60 **Case #19-2020: Parcel 17-L-78 and 17-L-78AL-1**

61 **Applicant - Benchmark Engineering, Inc.**

62 **Owner - Brett and Larissa Nigro**

63 **Location - 28 Horseshoe Road**

64 **Zoning District - Residential A District and Cobbetts Pond & Canobie Lake**
65 **Watershed Protection Overlay District (WPOD)**

66
67 Variance Relief is requested from **Section(s) 406.2, 702 & Appendix A-1**, to allow construction of
68 an addition to the existing year-round single-family dwelling (SFD). Specifically from **Sec. 406.2**
69 to expand the volume of the SFD from 2,725 sf to 2,917 sf in area and from 59,550 cu/ft to
70 62,621 cu/ft in volume, where the ordinance does not allow an increase in the area and/or
71 volume of the structure. And from **Sec. 702 & Appendix A-1** to allow the addition a 15' side yard
72 setback, where 30' is required.

73
74 Mr. Joe Maynard of Benchmark Engineering addressed the Board. Mr. Maynard stated that a
75 similar request was made several years ago for a 12 by 12 screen room. The variance expired
76 and they would like to get it reapproved, now it is 12 by 16. Mr. Maynard stated the applicant is
77 looking for a 3-season room with a foundation, not on piers. The application now has a fireplace
78 jog and drip line infiltration. The application needs to be filed as amended with the state as
79 well. Mr. Maynard stated that the Shoreland permit is coming shortly. Chairman Curto asked
80 about shrubbery or planting, the commission has no issues with the plan as presented at this
81 time.

82
83 **Case #20-2020: Parcel 17-I-350**

84 **Applicant - Benchmark Engineering, Inc.**

85 **Owner – Michael & Sherry Abruzese**

86 **Location – 104 Range Road**

87 **Zoning District – Rural District**

88
89 Variance Relief is requested from **Section(s) 406.2, 702 & Appendix A-1**, to allow construction of
90 an addition to the existing year-round single-family dwelling (SFD). Specifically from **Sec. 406.2**
91 to expand the volume of the SFD from 2,410 sf to 2,480 sf. in area and from 22,400 cu/ft to
92 24,000 cu/ft in volume, where the ordinance does not allow an increase in the area and/or
93 volume of the structure. And from **Sec. 702 & Appendix A-1** to allow the addition a 12' side yard
94 setback from the northwesterly side lot line and the existing SFD a 15' side yard setback from
95 the southeasterly side lot line, where 30' is required. To allow the SFD a 34' front yard setback
96 from the right of way line of Range Road, where 50' is required.

97
98 Mr. Joe Maynard of Benchmark Engineering addressed the Board for this case as well. There is a
99 bulkhead to the back of the structure. The applicant is looking to remove and replace some of
100 the surface with some sort of porous material, it is an even swap on the impervious surface and
101 squares up the footprint; there is nothing proposed for drip line infiltration but that may come
102 during the Planning Board application.

103
104 The Commission would like to see drip edge infiltration on the plan and storm water retention.
105 Other than that, the Board has no issues with the plan as presented.

106
107 **Case #21-2020: Parcel 8-B-2000**

108 **Applicant - Benchmark Engineering, Inc.**

109 **Owner – Estate of Susan Murray & Phyllis Jarosky**

110 **Location – 124 Rockingham Road**

111 **Zoning District – Rural District**

112
113 Variance Relief is requested from **Section(s) 405.2, 405.3, 602.1, 702 & Appendix A-1**, to allow
114 construction of a duplex dwelling on a property zoned rural. Specifically from **Sec. 405.2** to allow
115 expansion from 1,250 sf to 2,700 sf in area and from 23,600 cu/ft to 40,000 cu/ft in volume,
116 where the ordinance does not allow an increase in the area and/or volume of the structure.
117 And from **Sec. 405.3** to allow the proposed structure an increase in non-conformance, where
118 the ordinance does not allow an increase in the non-conformity of the structure. And from **Sec.**
119 **602.1** to allow a duplex structure (condo type) to be constructed, where the ordinance does not
120 allow such use. And from **Sec. 702 & Appendix A-1**, to allow the proposed structure and decks a
121 15' side yard setback from the northerly lot line and a 5' side yard setback from the southerly lot
122 line, where 30' is required. To allow a lot size of 38,000 +/- sf, where a minimum land area of
123 50,000 sf is required. To allow 90' frontage on Rockingham Road, where 175' of frontage is
124 required.

125
126 Mr. Joe Maynard of Benchmark Engineering addressed the Board once again. There is a mix of
127 different uses in the area and the property is in needs of some attention. All of the work they

are looking to do falls outside the WWPD. The lot is substandard to begin with and the applicant is looking to have the structure face the road.

Mr. Maynard stated that he reviewed the WWPD with the neighbor and he considered what they would like to see and how would they like the structure oriented so it is not facing right into their lot. There is water available on the street it makes this lot viable. The lot will be 7% impervious post development. The Board would like to see it come back when there is a final design. Ms. Ferrisi asked if there was anything that needed to be cleared on the lot. Mr. Maynard stated that the vegetation is very thick out to the street. There will be more landscaping on the lot post development. Mr. Maynard stated there will be some Shoreline issues but it will be for grading or septic reasons.

Chairman Curto stated that the Board would like storm water retention to be added to the plan as well as the chance to see the final septic plan and with relevance to the shoreline protection area, the Board would like to consider any possible reduction of impervious area.

Planning Board: N/A

Intent to cut Applications: N/A

DES Permits & Correspondence:

- 14 & 27 Farmer Road 17-L-65 & 65A
- 13 York Road 17-M-41

This project was also discussed earlier in the meeting with Mr. Derek Monson.

The Board discussed the importance of preserving and protecting the wetland and that there is a chance that some residents do not understanding the complexity of cutting down trees in the area and the impact on erosion. Ms. Feldberg asked how much land was cleared.

- Clyde Pond

The Board discussed the revoke of the Clyde Pond subdivision; the subdivision plan will be taken off of there as it was conservation land that has been purchased by the Town

- 19 Spring Street 17-C-14

DES conducted an inspection. There is no permit required for the car port. There was no violation once investigated; there are no issues at this time by the Board.

- 110 South Shore Road 22-B-28

There was no record or permit for this property according to the letter. After discussion from the Board, DES has added the property to their inspection schedule to see if there are violations.

- 15 Armstrong Road 17-M-33

The Board discussed the application to install a seasonal dock that is 36 feet long on the lake near the shoreline; it will be more than 20 feet from the abutting property line. The dock may be able to be longer depending on the depth of the water according to the notification. The Board has no issues with the application at this time.

The Board discussed a property at 24 Turtle Rock Road. There was a complaint alleging violations without permit or proper authorization. An inspection was done and the following was observed: patio had been removed and restored with sod. The violations have been corrected and no further action is required.

Campbell Farm Discussion:

- Mowing

The mowing has been done at Campbell Farm.

- Roadside brush clearing

There is some brush in the area. Chairman Curto discussed reaching out to the person working on the gate in the area and looking at the cost at cleaning up the area. Chairman Curto would like to get a quote put together for discussion at the next meeting; the Board is in agreement on this.

- Walking trails planning at Campbell Farm

The Board discussed a site walk as there is an abutter that sits in the center of the property at Campbell Farm. The Chair suggested a site walk. The markers for her property are still there. The Board does not want to step on other people's property and they would like to add some value to the property. The Board discussed the idea of creating a historical trail. The Board discussed a social distancing site walk on August 8th with August 15th as the rain date. Chairman Curto will try to send out a reminder a week ahead of time.

- Invoices

A motion was made by Ms. Skinner to pay the invoice of \$2,000 for the mowing at Campbell Farm. Seconded by Mr. McFarland. Roll call vote: Chairman Curto, Ms.

205 **Skinner, Ms. Ferrisi, Mr. McFarland, and Ms. Feldberg- yes. Vote 5-0. Motion**
206 **passes.**

207
208 **A motion was made by Ms. Skinner to approve the payment of \$195 for Attorney**
209 **Campbell. Seconded by Mr. McFarland. Roll call vote: Chairman Curto, Ms.**
210 **Skinner, Ms. Ferrisi, Mr. McFarland, and Ms. Feldberg- yes. Vote 5-0. Motion**
211 **passes.**

212
213 **A motion was made by Ms. Skinner to approve the payment of \$725 to the New**
214 **Hampshire Association of Conservation Commissions. Seconded by Ms. Ferrisi. Roll**
215 **call vote: Chairman Curto, Ms. Skinner, Ms. Ferrisi, Mr. McFarland, and Ms.**
216 **Feldberg- yes. Vote 5-0. Motion passes.**

217
218 **A motion was made by Ms. Skinner to approve the payment of \$3,189.00 for the**
219 **purpose of brush cutting at Moeckel Pond. Seconded by Ms. Feldberg. Roll call**
220 **vote: Chairman Curto, Ms. Skinner, Ms. Ferrisi, Mr. McFarland, and Ms.**
221 **Feldberg- yes. Vote 5-0. Motion passes.**

222
223 **A motion was made by Ms. Skinner to approve the payment \$204,989.53 for the**
224 **purpose of a conservation land loan for Clyde Pond as approved by the town in 2019**
225 **for reimbursement from the Reimbursement Land Trust Fund. Seconded by Mr.**
226 **McFarland. Roll call vote: Chairman Curto, Ms. Skinner, Ms. Ferrisi, Mr.**
227 **McFarland, and Ms. Feldberg- yes. Vote 5-0. Motion passes.**

228
229 **Meeting Minutes Review and Approve – 5/28/20, 6/25/20**

230
231 **A motion was made by Ms. Feldberg to approve the May 28th draft minutes as presented.**
232 **Seconded by Ms. Ferrisi. Vote 3-0-2. Roll call vote: Chairman Curto, Ms. Ferrisi, and Ms.**
233 **Feldberg- yes. Ms. Skinner and Mr. McFarland abstained. Vote 3-0-2. Motion passes.**

234
235 **A motion was made by Ms. Skinner to approve the June 25th draft minutes as amended.**
236 **Seconded by Mr. McFarland. Roll call vote: Chairman Curto, Ms. Skinner, Ms. Ferrisi, Mr.**
237 **McFarland, and Ms. Feldberg-yes. Vote 5-0. Motion passes.**

238
239 **A motion was made by Ms. Ferrisi to adjourn at 9:43pm. Seconded by Ms. Skinner. Roll**
240 **call vote: Chairman Curto, Ms. Skinner, Ms. Ferrisi, Mr. McFarland, and Ms. Feldberg-**
241 **yes. Vote 5-0. Motion passes.**

242
243 **Respectfully submitted by Anitra Lincicum**